

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 26-94

September 19, 1994

The Mayor and Council of Rockville, Maryland, convened in Public Hearing in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on September 19, 1994, at 7:35 p.m.

PRESENT

Mayor James F. Coyle

Councilmember Robert E. Dorsey

Councilmember Rose G. Krasnow

Councilmember James T. Marrinan

Councilmember Nina A. Weisbroth

In attendance: Assistant City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Re: Public Hearing - Text Amendment
Application TXT94-0142, F&H
Investments Ltd. Partnership,
Jefferson Street Joint Venture & 1570
Associates Ltd. Partnership,
Applicants.

Amendment to the Zoning Ordinance
so as to allow certain nonconforming
buildings in the RPR Zone to be
reoccupied by uses permitted in the
C-2 Zone, and to provide for
reconstruction of the existing
buildings.

The Mayor and Council held a public hearing on Text Amendment Application TXT94-0142, an amendment to the Zoning Ordinance so as to allow certain nonconforming buildings in the RPR Zone to be reoccupied by uses permitted in the C-2 Zone, and to provide for reconstruction of the existing buildings. The Mayor and Council heard all those persons as

can be found in the official stenographic transcript. There being no further persons wishing to speak, Mayor Coyle declared the public hearing closed at 8:00 p.m., with the record to remain open until October 3, 1994.

Re: Public Hearing - Text Amendment
Application TXT94-0144, Joseph A.
Lynott, Attorney for Federal Realty
Investment Trust, Applicant.

To amend the Zoning Ordinance so as
to allow additions to certain
developments in the RPC Zone to
encroach into the RPR Zone.

The Mayor and Council held a public hearing on Text Amendment Application TXT94-0144, an amendment to the Zoning Ordinance so as to allow additions to certain developments in the RPC Zone to encroach into the RPR Zone. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There being no further persons wishing to speak, Mayor Coyle declared the public hearing closed at 9:12 p.m., with the record to remain open until October 3, 1994.

Re: Public Hearing - To receive proposals
for the use of Community
Development Block Grant (CDBG)
funds.

The City is projected to receive
approximately \$318,000 in CDBG
funds through its cooperation
agreement with Montgomery County.

The Mayor and Council held a public hearing to receive proposals for the use of Community Development Block Grant (CDBG) funds for fiscal year 1996. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There

being no further persons wishing to speak, Mayor Coyle declared the public hearing closed at 9:28 p.m., with the record to remain open until October 10, 1994.

Re: Presentation of proposal to build and operate an ice arena at Welsh Park, by the Miller Companies and RinkSport Entertainment, Inc.

Assistant City Manager Kuckkahn said that over the past several months, staff had been meeting with representatives from The Miller Companies and RinkSport Entertainment, Inc., working to try and resolve feasibility as well as other issues about the proposal. Mr. Kuckkahn said that there was a lot of interest in the community, and the presentation was intended to give an overview of the proposal; no specific action by the Mayor and Council was anticipated this evening.

Stuart Miller, President of The Miller Companies, said his company joined forces with RinkSport to develop a proposal for an ice rink for ice sports and recreation in the area. He said that ice rinks were increasingly popular and substantial research had been done that supported the idea of an ice rink in Rockville. He said that Welsh Park balanced out the recreational amenities the park offered, especially with the swimming pool which would complement an ice rink. Mr. Miller said they were proposing to develop a multipurpose recreational facility that would be aesthetically pleasing and energy efficient. The location they were proposing was situated across from the Rockville Swim Center and right off of Martins Lane. There were currently over 300 parking spaces for the Swim Center, and the proposal called for another 100 spaces. Reviewing the proposed floor plan, Mr. Miller said the facility was designed to have two ice rinks on the lower level. There would be bleachers, a skate rental area, snack bar, an arcade and eight locker rooms for coaches and players. Mr. Miller

explained that there would be ample facilities for public skating, and on the upper level, one would be able to view the ice below. There would also be a tickets and administration office, party room and conference center, restaurant, and health room facility. Mr. Miller said that the project would cost \$5 million which would be financed with their own money and that of investors; they were not looking for any City investments. They were proposing a long-term lease with a fair market rental that could be negotiated with staff.

Kush Sidhu, President, RinkSport Entertainment, said that based on the demand and interest received, they felt there was sufficient demand for an ice rink for ice hockey use and general recreational skating, as well as the figure skating community. Mr. Sidhu said that residents in Rockville were very active in ice sports and they currently had to travel for use of ice rinks. Rockville was very centrally located and Welsh Park was easily accessible. He said that RinkSport was very aware that the City put a lot of resources into their recreational programs. The proposal called for the development of two rinks--one for ice hockey and the other for figure skating. Mr. Miller explained that his company was making every effort to ensure a functional and environmentally safe building. He said that after the skating season ended, the building would allow for the conversion of either one or both floors for indoor hockey, indoor soccer, or for a trade show or other event (e.g., to host a graduation). Mr. Sidhu also noted that they would put into place a mechanism that would recycle the melted snow from the rink and reuse it to heat the building. Mr. Sidhu shared with the Mayor and Council, photos of representative rinks around the country and offered to take the Mayor and Council and staff on a short tour of a facility in Philadelphia, Pennsylvania. Mr. Sidhu then displayed graphs and explained the typical allocation of ice time and uses of an ice rink. Regarding

financing, Mr. Sidhu said that RinkSport had been soliciting potential investors and felt confident that they would have the investors they needed.

Doug Dougherty, Consultant with Sports Facility Research Laboratory at the University of Michigan said he was currently involved with about 60 professional, private, college, and community projects, ranging from the likes of Walt Disney to local cities such as Rockville. He said the industry was literally exploding, and the usage demands nationwide were at an all-time high. Mr. Dougherty said he felt that the team of RinkSport and The Miller Companies was a good one; the location for the proposed rink was good, and the demand was here now. The Sports Facility Research Laboratory's recommendation is that this is a sound project, and it was crucial that the project proceed with schematic drawings and site work so that a September 1995 opening date was achieved. Mr. Dougherty said that his company would stay involved throughout the opening and through the managing of the facility.

Mr. Miller noted the benefits an ice rink would bring to the City; it would be a great complement to the swim center; it would increase business for local retail establishments; bring recognition to the City for having a state-of-the-art facility; and increase the City's tax base. Mr. Miller noted a Letter of Intent from the Montgomery Youth Hockey Association and a new group, the Maryland Scholastic Hockey Association, proposing to contract for available ice time. Mr. Miller said there would be no cost to Rockville residents to construct the proposed facility. Mr. Miller then reviewed his company's proposed time line:

- October 1st - hearings to negotiate lease
- November - execution of lease

- December 15th - site plan approval and preparation to go forward with development of site plans.
- Mid-January 1995 - anticipate breaking ground
- August 1995 - construction completion
- September 1995 - opening of ice rink.

Mr. Miller then introduced the team of attorneys, architects, engineers, health and fitness reps, and contractors he said were all ready to go forward to meet this time frame.

Mr. Miller also submitted to the Mayor and Council an unsolicited petition from 1,000 participants of the Cabin John facility in support of the proposed ice rink in Rockville.

Mayor Coyle and members of the Council then engaged in a discussion of the following questions and issues of concern.

- What would happen to the existing number of recreational facilities (basketball, handball, tennis) on the parcel of land being proposed for the ice rink?
- Does staff anticipate an increased demand for the pool with the development of an ice rink?
- The proposed facility would not be a City facility; it would be a building sitting on City property that we do not own or operate. Any contract the City entered into would have to address how issues and complaints would be handled.
- Traffic concerns; ice rinks almost always develop into 24-hour operations.
- What are the long-term effects (i.e., a bankrupt facility sitting on City property).

- Would a text amendment be needed to address the concept of developing a private building on public land? Should the City look towards privatization?
- The time line proposed by The Miller Companies and RinkSport Entertainment is overly optimistic.
- What happens if other companies were to build other ice rinks within a close radius to Rockville?
- Who would bear the liability for injuries sustained at the rink?
- A better concept is needed regarding the plan for the company to pay rent to the City and reap the profits.
- How many users would come from Rockville versus the number of users coming into Rockville.
- Would the ice rink building overshadow the outdoor pool? (The Companies proposed to explore options to enhance the area by building a patio or bleachers on that side of the pool).
- Stormwater problems created by putting a building on 4 acres of land.
- What are the other realistic cost impacts on the City (i.e., staff costs, police service, traffic impacts).
- What would the costs be to Rockville families who use the facility?
- The Mayor and Council asked to see any questions and issues that were raised in other jurisdictions where ice rinks have been proposed.

The Mayor and Council then directed that staff put together a report with the questions and issues raised, as well as the issues raised by staff in the earlier discussions. In addition, it was noted that if other groups with the financing and experience expressed an interest in a similar proposal for an ice rink, they would be given the opportunity to make a similar proposal.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 11:27 p.m., to convene again in General Session at 7:30 p.m. on September 26, 1994, or at the call of the Mayor.